

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH - CENTRAL DIVISION

UTAH POLITICAL WATCH, INC., and
BRYAN SCHOTT,

Plaintiffs,

v.

ALEXA MUSSELMAN, Utah House of
Representatives Communications Director and
Media Liaison Designee; AUNDREA
PETERSON, Utah Senate Deputy Chief of Staff
and Media Liaison Designee; ABBY
OSBORNE, Utah House of Representatives
Chief of Staff; and MARK THOMAS, Utah
Senate Chief of Staff, in their official and
individual capacities;

Defendants.

**[Proposed] Order Granting
Short Form Discovery Motion for
Protective Order to Stay Depositions of
Defendants Musselman and Peterson**

Case No. 2:25-cv-00050-RJS-CMR

Hon. Robert J. Shelby
Hon. Cecilia M. Romero

Before the Court is a short form discovery motion for a protective order filed by Defendants Alexa Musselman and Aundrea Peterson. *See* ECF No. 38. They ask this Court to stay their depositions noticed by Plaintiffs on March 4, 2025. Defendants argue that their depositions should be stayed because they were noticed before the parties held a Rule 26(f) conference. *See* Fed. R. Civ. P. 26(d)(1). They also argue that Plaintiffs failed to obtain leave of Court as the rules require when parties have not stipulated to a deposition and “the party seeks to take the deposition before the time specified in Rule 26(d).” *See* Fed. R. Civ. P. 30(a)(2)(A)(iii). Finally, Defendants argue that allowing their depositions to occur now—after Plaintiffs have already filed a renewed motion for a preliminary injunction—would be manifestly unfair because it would allow Plaintiffs to introduce new evidence and arguments in their reply brief, depriving Defendants of notice and an opportunity to respond to those new arguments or that new evidence. Defendants also correctly argue that Plaintiffs can cross-examine Defendants at any hearing on the renewed motion for preliminary injunction.

Based on the motion and for good cause appearing,

IT IS HEREBY ORDERED that Defendants' motion is GRANTED. The noticed depositions of Musselman and Peterson may not proceed in advance of the parties' Rule 26(f) conference absent either a stipulation of the parties or an order of this Court granting leave.

Dated this ____ day of _____, 2025.

BY THE COURT:

Hon. Robert J. Shelby
United States District Judge